

FREQUENTLY ASKED QUESTION # 12

Supervisory Responsibilities for Occupational Disease Claims



BACKGROUND:

When you are presented with a claim, you assume the role of “agency representative.” You should approach this responsibility seriously. You are accountable for meeting all statutory requirements under the Federal Employees’ Compensation Act. You are also accountable if you fail to meet your obligations as outlined in 18 U.S.C. 1922:

- **If you willfully fail, neglect, or refuse to complete any of the workers’ compensation reports;**
- **If you knowingly file a false report;**
- **If you induce, compel, or direct an injured employee to forego filing of any claim or other benefit provided;**
- **If you willfully retain any notice, report, claim or paper which is required to be filed.**

You could face a fine and/or imprisonment if you are found guilty of violating the above guidelines.

Throughout the process, you should treat your employee with dignity and respect. The majority of claims to the Department of Labor (DOL) are valid claims. The majority of employees who file claims are seeking only those benefits that are due them and are not trying to take advantage of the system.

The employee bears the burden of proving the claim. You cannot assume this particular responsibility. You should; however, assist them in this process by:

- Giving the employee the appropriate forms needed to file a claim;
- Providing them with access to the information they need to educate themselves about the process;
- Making sure you submit the appropriate information to the DOL in a timely fashion.

The “Frequently Asked Questions” documents that are available through the ARC Customer Access pages have been prepared to help you and your injured employee obtain a basic understanding of the process.

Conflicts may arise when an employee incorrectly believes they are entitled to a claim. Being incorrect about entitlement, or failing to provide sufficient evidence of a claim, *does not* mean the employee intentionally tried to defraud the government. Of course, you may encounter a situation in which the employee *is* intentionally trying to abuse the system. In these situations, it is particularly critical that you understand what you should do to represent your agency. [See FAQ # 17](#)

OCCUPATIONAL DISEASE DEFINITION:

An occupational disease is a condition produced by the work environment over a period longer than one workday or shift. The condition may result from infection, repeated stress or strain, or repeated exposure to toxins, poisons, fumes or other continuing conditions of the work environment.

INSTRUCTIONS:

For detailed instructions on how you should handle an Occupational Disease (CA-2) Claim, click on the following link: [CA-2 Instructions – Supervisors.](#)

Questions? Contact the ARC WC Specialist at (304) 480-8229
or email questions to WorkersComp@bpd.treas.gov